IN THE HIGH COURT OF JUDICATURE, ANDHRA PRADESH
AT HYDERABAD

(Special Original Jurisdiction)

MONDAY, THE THIRTEENTH DAY OF JUNE
TWO THOUSAND AND FIVE

PRESENT

THE HON'BLE MR JUSTICE ELIPE DHARMA RAO

WRIT PETITION NO : 8872 of 2005

Between:

Padala Ramana, S/o. Veerabhadra Rao,
Ramanagar, Peddapalli Road,
Yellamanchili, Visakhapatnam.

..... PETITIONER

AND

1 The Asst. Director, Mines & Geology, Visakhapatnam District.
2 The Dist. Collector, Visakhapatnam.

.....RESPONDENTS

Petition under Article 226 of the constitution of India praying that in the circumstances stated in the Affidavit filed herein the High Court will be pleased to issue any writ, order or direction particularly a writ in the nature of Mandamus directing the respondents to restrain others including one Padala Chinna from entering lease premises of mining operations of the petitioner over an extent of 0.50 hectare of land in Sy.No.247 of Yerravaram village, Yellamanchili Mandal, Visakhapatnam Dist., with all consequential benefits and pass such other relief or relieves.

Counsel for the Petitioner: MR.B.M.PATRO

Counsel for the Respondent No.: GP FOR MINES AND GEOLOGY

The Court at the stage of admission made the following :

ORDER:

Heard both sides.

In this Writ Petition, petitioner is seeking a Writ of Mandamus, directing the respondents to restrain others including one Padala Vhinna from entering into the lease premises of mining operations of the petitioner over an extent of 0.05 hectare of land in S.No. 247 of Yerravaram Village, Yellamanchili Mandal, Visakhapatnam District.

In spite of giving sufficient time, no counter affidavit is filed by the respondents.

In view of the facts and circumstances of the case, without going into the merits of the case, I deem it appropriate to direct the respondents to take action over the dispute raised by the petitioner by examining the legal notice dated 28.3.2005, within a period of four weeks from the date of receipt of a copy of this order, after affording an opportunity of hearing to the petitioner, in accordance with law.

Accordingly, the Writ Petition is disposed of. No order as to costs.

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E. DHARMA RAO, J

DATED: 13/06/2005

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To

1 The Asst. Director, Mines & Geology, Visakhapatnam District.
2 The Dist. Collector, Visakhapatnam.

3. Two CCs to G.P. for Mines and Geology, High Court of A.P., Hyderabad (OUT)

4. Two CD copies.